UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

OurPet's Company,	:	JUDGE PATRICIA A. GAUGHAN
	:	
	:	
Plaintiff(s),	:	CASE NO. 1:15CV2077
	:	
v.	:	
	:	CASE MANAGEMENT ORDER
Van Ness Plastics Molding Co., Inc.,	:	
	:	
Defendant(s).	:	

A Case Management Conference was held in this matter on **12/04/15**. The parties and counsel of record agreed to the following, and **IT IS ORDERED** that:

1. This case is assigned to the expedited/standard/**complex**/administrative/mass tort case management track.

2. _____ This case **is** suitable **now** for **Mediation**.

__X__ This case **is not** suitable for ADR at this time but may be after discovery.

_____ This case **is not** suitable for ADR at any time.

3. The parties do/ **do not** consent to the jurisdiction of a United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).

4. **Schedule Through Claim Construction**

Date	**Action**
12/14/15	Exchange of initial disclosures FRCP 26
12/23/15	Plaintiff to serve infringement contentions and accompanying document production (L.P.R. 3.1, 3.2)
1/22/16	Defendant to serve non-infringement contentions and accompanying document production (L.P.R. 3.3, 3.4)
2/29/16	Defendant to serve invalidity and unenforceability contentions and accompanying document production. (L.P.R.3.5. 3.6)
3/15/16	Exchange of initial claim terms for construction. (L.P.R. 4.1(a))
3/21/16	Plaintiff to serve validity and enforceability contentions (L.P.R. 3.7)
3/30/16	Disclosure of claim constructions(s) expert and report(s) , if any (L.P.R. 4.3(a)

Date	**Action**
3/31/16	**Telephonic Status Conference with the Court at 9:00 a.m.**
4/04/16	Exchange of final claim terms for construction. (L. P. R. 4.1(c))
4/14/16	Disclosure of rebuttal claim construction expert(s) and report(s) (L.P.R 4.3(b))
4/19/16	Exchange of proposed constructions and supporting evidence (L.P.R. 4.2(a))
4/29/16	Last day to complete expert claim construction depositions (L.P.R. 4.3(c))
5/04/16	Exchange of final claim constructions (L.P.R. 4.2(c))
5/19/16	Opening claim construction submissions (L.P.R. 4.4 (a)).
6/20/16	Responsive claim construction submissions (L.P.R. 4.4 (b))
90 days before fact discovery	Disclosure of reliance on advice of counsel (L.P.R. 4.8)
6/27/16	Joint claim construction and rehearing statements (L.P.R. 4.5)

The remaining deadlines will be addressed after claim construction is concluded by the Court.

Counsel shall confer within three business days of any scheduled conference to discuss outstanding issues and respective positions as to settlement. Counsel shall provide to the Court within two business days of the conference, jointly or individually, a brief written Status Report describing the status of discovery, settlement positions, and issues to be addressed. The Status Report need not be filed, but may be delivered via e-mail at Gaughan_Chambers@ohnd.uscourts.gov or fax at (216) 357-7215.

/s/ Patricia A. Gaughan
PATRICIA A. GAUGHAN
UNITED STATES DISTRICT JUDGE

Dated: 12/4/15